

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JON SMITH,

Petitioner,

v.

MARK CAPOZZA, et al.,

Respondents.

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CIVIL ACTION

No. 2:19-cv-03147-JP

ORDER

AND NOW, this 17th day of March, 2022, upon careful consideration of Petitioner Jon Smit's motion for discovery in support of his habeas petition (Doc. No. 4), the Commonwealth's response in opposition (Doc. No. 8), the Petitioner's reply memorandum (Doc. No. 9), and the evidence presented before me during a bifurcated evidentiary hearing on November 10, 2021 and March 9, 2022, it is **ORDERED** that:

1. The Petitioner's motion for discovery is **DENIED**.
2. The District Attorney shall file a specific and detailed answer to the claims in Mr. Smith's habeas petition and a supporting legal memorandum within 45 days of the date of this Order pursuant to Rule 5, 28 U.S.C. § 2254. All opinions of the Commonwealth Courts will be attached as Exhibits to the Memorandum.
3. The Petitioner may file a reply brief within 21 days of the filing of the Commonwealth's response.

BY THE COURT:

s/Richard A. Lloret
RICHARD A. LLORET
UNITED STATES MAGISTRATE JUDGE